

1877
D.C.J.

File No. 35 of
1877
Serial No. 14.

Exhib: Imposition made
on Jaha gir land of
Mahadraspara village

(15)

G. R. S. IX-5]

Previous references.

1877

~~191~~.

(LR)

File No. 25 of 1877

Serial Nos. 1-4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-4

Map. ~~Part B~~ for 15 June 1878

SUBJECT.

Imposition of Water Cess on the
Gahagir Lands of Mahadwara
Village.

Filed
LR

In his petition dated 28th April 1878 Rejuntendar Lutetunon Kan. Jagirdar of Mahadevapur village - requested the Commissioner of Ashtagram to issue orders to the Channel Supt^e for the repair of the Govt Channel called "Burreyullah" to enable him to draw a supply of water for his jaghir lands, and he at the same time expressed his willingness to pay a Cess at the rate of half a rupee per Canid^y ^{or even} ~~and double~~ ^{that} ~~of this rate~~ ^{for the 150 Kanid^y} ~~which he is anxious to~~ ^{which he is anxious to} ~~draw a supply of water for the~~ ^{draw a supply of water for the} ~~irrigation~~ ^{irrigation} ~~and~~ ^{and} ~~cultivation~~ ^{cultivation}.

2. The Commissioner of Ashtagram submitted the application for Chief Commr's orders stating that the

no ⁶¹/₁₁ d/24-4-78.

Channel in question could
easily be extended up to the
Jaghir lands of Mahadevpur;
that it was stipulated by
the Irrigation Dept^l that
the Jaghirdar should pay
wet assessment on all lands
that might become irrigated
by the Channel; that with
reference to this Mr. Lutchman
Rai urged that no land
assessment was leviable on
a Surwamian Ham village
and that he should be
allowed to pay only the
water cess. Major Cole further
observed that Govt could
make any stipulations it chooses
when such an extension is
under consideration but that
the imposition of a land tax
would at once destroy the
Rent free tenure. He
therefore advocated

the imposition of a water
cess in this case.

no 949 of 9-5-78.
16

3. The foregoing letter was forwarded to the Chief Engineer for report as to the circumstances under which it was proposed by the Ex-Engineers to fix an assessment in lieu of imposing a water cess.

no 1229 of 14-5-78.

4. The Chief Engineer states that if the Channel was running before the grant of the Inam, it may be assumed that the Inamdar was intended to have free irrigation and it would be unfair to charge him more than a small water cess; but when there is clear evidence that the Inam was given before the lands had ever been watered or before the Channel had been made the concession made to the Inamdar can only have been remission from the water cess.

dry land, and when irrigation
has been given, the State
has the undoubted right
to make the Zamindar pay
the difference between wet
and dry rates i.e. to pay the
full value of the water which
at a heavy cost, has been
brought to his fields. This
being the state of affairs in
Lutetium Rains jaghir, the
Chief Engineer thinks that
there is no reason for showing
indulgence to him. He
(Major Moncrieff) further remarks
that because Lutetium Rains
ancestors did good service
and were rewarded for it:
the present Govt need not
increase that reward tenfold
at the expense of the Mysore
tax-payers and therefore
considers it proper to make
the Jaghirdar pay water

Drifter Note

Yes!

I concur. There is no reason why we should base on a survey value in order to assess this value. Assuming an average wet area valuation of Rs 5 per acre there is no deduction of 1 R per acre for dry land area, a value of Rs 4 per acre, in addition to the 1/2 R per acre value of the Rywulth an accordance with previous practice is desired. The rate might be made subject to revision at the end of the survey.

1/6

I concur

5. The water rate of 8 annas per Kandy allotted to by Dutchman Rair in his petition is liable to enable Govt to defray the cost of the Channel consisting of Suddies &c. - In consideration of the outlay to be incurred in extending or repairing the Channel, it is nothing but fair to impose a water cess, i.e. the difference between the wet and dry rate of assessment. But it will not be possible to arrive at a correct valuation of the dry land until the village has been surveyed by the Survey Dept. I think that the water rate, viz. 7.4 ^{pranna} ordered to be levied in this case No. 4529 of 8th September 1905 in a similar case may be levied in the present case also.

B. M. Mumbroo

31/5/78

x It is optional with the landlord to allow of details survey & action, the com.

To

Director

26-4-78

7225, 4/15 & 5-4-50

Section

File No.

Serial No.

This may be referred
to the Insp Engr in Engr, in
opinion.

The Japhurdon in
his petn requests that
the old channel may
be repaired and that
he may be allowed
a supply of water to irrigate
his lands. The Gov states
that the Channel can
be easily extended up
to the Japhur lands. It
is not clear whether what
is now recommended is
the repair or extension of
the Channel. In either case
the cost should be ascertained
to see whether it is worth
while incurring the cost.

The Gov recommends
the imposition of a water cess,
i.e. the diff. between the wet
& dry apartment of the land impd.
The Gov may be asked to
report what is the rate to be
proposed ^{to levy} and the province wh.
the Gov may anticipate by
the proposed extension of the Channel.

2/5

Send copy of this letter
enclosure in orig. to Chief
Eng. and request him to
be it is proposed by the Gov
Eng. to form an appt. to be
26th of imposing a water cess
Eng. to replace by 3/5

Channel, but Mr. Litchman
at no land assessment
from a Survaamam
and that he should be
pay only the water cap.
ment can, of course,
stipulations it chooses
an extension is under
tion but the imposition
it would at once destroy
tenure, of which the
is naturally tenacious,
I advocate a fair
ing imposed instead

I have the honor to be,

Sir,

Your most obedt. servant,



J. G. Comyns,

Adv.

Recd 1878 0.348
12

From

~~The Commissioner, Adm.~~

8-2-352

To

Secretary to Chief Commissioner,
General Department.

Dated 24th April.

Despatched

Received 26th

R 26th

Enclosures No. 1

General No. 61

Rev. No. 11

187 8-7 9.

Sd/-

In forwarding a copy of Petition from Lutchmen Row, late Regmunt-dar and now Munahila, I have the honor to solicit the instructions of the Chief Commissioner on the following points. The Channel in question can be easily extended up to the Jhagir lands of Mahadevi-pura, but the Irrigation Dept. have stipulated that the Jhagindar should pay wet assessment on all lands that may become irrigated by the

✓

extension of the
Row urges that
is leviable of
Inam Village
allowed to p.

2. The Government
make any
when such a
considerate
of a land to
the rent free
Jhagirdar
and I would
water ceps be

To
2
Col. R. A. Cole, 3
Comd^t of the Ashm. D^o

Respected Sir,

In order to make up partly the losses I have undergone owing to the effects of Famine both in my Jagir and on the large household establishment here, during those times, aiming to bring under wet cultivation some acres of waste land belonging to the Jagir village, Mahadaneepoor of my granduncle, Butshee Rame Row, thro' a supply of water from the Govt. channel called Burray Nullah, I had applied to Col. May requesting him to issue an order to the Channel Supt. to get the old channel repaired and to allow a supply of water to the Jagir lands.

Your honor being now in his place, I beg leave to say that if I am favored with the request at your earliest convenience, as the next season of cultivation is fast approaching, by the time the water is supplied I will get the land prepared by clearing off the trees and levelling the fields.

As for my paying tax to Govt. for the supply of water to the Jagir lands, I am willing or wish to be allowed to pay a cess at the rate

1169
10-5-76

of 1/2 a Rupee per Candy as has been
done in similar cases with Hosa-
cotta, Turakara Houndi, Aswathapoorah,
and Muthathy - all Inam Villages situated
below the Rajah Paramaswamy Channel -
and also the Jodi village of Hebbagaloo
under the Paramaswamy Channel. It is

I am allowed a supply of water for the
next season's cultivation, after your
honor having once examined the 150 candies
of land in person, which I am trying
to bring under wet cultivation, I shall
be glad to pay even double of that
rate if you should order it to be
so.

Soliciting to be favored with the
request at your honor's earliest
convenience and praying the
Almighty God for your honor's
greater prosperity, I beg to remain,

Respected Sir,
Your most obedt and
faithful servant
Sd/ Regimentdar Intchumen Row
A.D. C of H. H. the Maha Rajah

9th April 78 }
anyone }

"Copy"
J. J. North
for offg. Govt.
ad.

W.S.

No 949 of 9th May 1878 25
 R 16
 Docket

W^m The Chief Engineer
 of Mysore

Section	
File No	71
Serial No	2

Letter no $\frac{61}{11}$ of 24/4/78
 from the Commissioner of
 Ashtagram giving cover
 to a petition from one Dutch
 man Rain ^{Shankar} ~~in which he ap-~~
~~plications~~ for the repair of the
 old channel of Burrygul.
 lah and a supply of water
 therefrom to irrigate his ^{father's}
 lands, agreeing at the
 same time to pay water
 cess; stating that the chan-
 nel may be easily extended
 up to the Jaghir lands of
 the petitioner; and recom-
 mending the imposition
 of an irrigation cess -

+ Am obliged
 W

~~In forward~~
~~ordered that~~ a copy of the
 above letter with ^{its} ~~enclosure~~
 in original ~~be forwarded~~
~~request~~ to the Chief Engineer with
 a request that the circum-
 stances under which the
~~proposed~~ ^{proposed} Executive Engineer ~~pro-~~
~~poses~~ ^{an} to fix ~~the~~ assessment
 in lieu of imposing a
 water cess may be ex-
 plained -

20
 By order
 The Chief Engineer
 Enclosure in original. In Secretary
 8/5/78

6 $\frac{I}{6.52}$

6.

To The Chief Engineer

Dated 9th May
Deputy Commr 178

Encl 2 { 1 copy of
acknowledg
6199/5
2 English
Petition
orig of
Lakshman Rao

Genl. No. 949
B. 16

15-15-18
14-14-18
13-13-18
12-12-18
11-11-18
10-10-18
9-9-18
8-8-18
7-7-18
6-6-18
5-5-18
4-4-18
3-3-18
2-2-18
1-1-18

For the
the
the

15/5

7

I

8-2-620 - 1878/79 0658
- 2306 26
Mysore Public Works Department
No. 1228

Section	18
File No.	257
Serial No.	3

From

The Chief Engineer
of Mysore

To The Secy. to the Chairman
of Mysore General Deptt.

Dated

Despatched } 14 May 1878

Received } 15 "

By

Enclosures No.

Subject

Points out the position of
an Orain Village under
an irrigation channel.

To the Secy.
16. 5. 78

12. 12. 78. S.S. (187)

17th

11

M

8

Hydrographic Office
Washington

Washington 14th May 1878

Mr. J. S. Brimley, U.S.N.
U.S. Hydrographic Office

Dear Sir, In the last communication
of yours, Mr. Brimley, Department

in reply to your No 949 of the
9th inst. I have the honor to send
and what I consider is the position of an
existing village under an irregular form.

When the Channel was first
surveyed the ground of the river, at
which he assumed that this position was
attributed to have been irregular and it
would be unfair to charge him more than
a small water cut. What other there is

clear evidence that the Channel was given
before the lands had ever been worked, or
before the Channel had been made. The
conclusion made by the Commission can
only have been taken from this position
of any kind; and when attention has
been given, the plate has been amended
right

right to make the Chauridar pay the difference between wet and dry rates, is to pay the full value of the water which at a heavy cost it has brought to his fields. —

3. — This is the state of affairs on Suchman Rao's jaghir, and I know of no reason for showing indulgence to him in particular. Because his ancestors did good service and were rewarded for it, surely the present Government need not increase that reward the fold of the expense of the Mysore tax payers. I have no wish to impose a land tax as the Commissioner seems to think, but to make him pay for a new benefit bestowed on him viz: water. —

4. — I would beg to call your attention to paras: 16 & 17 of my order on the Channel Irrigation of the Province and to para: 4 of Chief Commissioner's order thereon No. 11390-1727 of 25th March last. In para: 6 of that order some statistics are given showing the value of this irrigation. —

5. — ~~Original~~ ^{is} ~~enclosure~~ ^{herein} ~~is~~ ^{returned}. —
I have the honor to be,

Yours Most Obedt. Servant

C. Amarepp. Gajpi Rb.

Offg. Chief Engineer of Mysore. —

Enc.
one

Section.....	28
File No.....	3577
Serial No.....	61

CO

*Proceedings of the Chief Commissioner of Mysore, Department of Revenue,
Agriculture and Commerce, 15th June 1878.*

From the Offg. Commissioner, Ashtagram Division, To the Secretary to the Chief Commissioner of Mysore, General Department, No. 61—Rev. 11, dated 24th April 1878.

In forwarding a copy of petition from Lakshman Rao, late Regimentdar and now Musahib, I have the honor to solicit the instructions of the Chief Commissioner on the following points. The channel in question can be easily extended up to the jahagir lands of Mahadevapura, but the Irrigation Department have stipulated that the Jahagirdar should pay wet assessment on all lands that may become irrigated by the extension of the channel, but Mr. Lakshman Rao urges that no land assessment is leviable from a Sarvamanyam inam village and that he should be allowed to pay only the water cess.

2. The Government can, of course, make any stipulations it chooses when such an extension is under consideration, but the imposition of a land tax would at once destroy the rent-free tenure, of which the Jahagirdar is naturally tenacious, and I would advocate a fair water cess being imposed instead.

From Lakshman Rao, late Regimentdar, Aid-De-Camp to His Highness the Maha Raja of Mysore, To the Offg. Commissioner of the Ashtagram Division, dated 9th April 1878.

In order to make up partly the losses I have undergone owing to the effects of famine both in my jahagir and on the large household establishment here during those times, aiming to bring under wet cultivation some acres of waste land belonging to the jahagir village, Mahadevapura, of my grand uncle, Bakshi Ram Rao, through a supply of water from the Government channel called Bargi Nalla, I had applied to Colonel Hay requesting him to issue an order to the Channel Superintendent to get the old channel repaired and to allow a supply of water to the jahagir lands.

Your honor being now in his place, I beg leave to say that if I am favored with the request at your earliest convenience, as the next season of cultivation is fast approaching, by the time the water is supplied, I will get the land prepared by clearing off the trees and levelling the fields.

As for my paying tax to Government for the supply of water to the jahagir lands, I am willing or must be allowed to pay a cess at the rate of $\frac{1}{2}$ a rupee per candy as has been done in similar cases with Hoskote, Turkara Hundi, Aswathapura and Muttatti-all inam villages situated below the Raja Parameswari channel and also the jodi village of Hebbagalu under the Ramaswami channel. Or if I am allowed a supply of water for the next season's cultivation, after your honor having once examined the 150 kandis of land in person, which I am trying to bring under wet cultivation, I shall be glad to pay even double of that rate if you should order it to be so.

Soliciting to be favored with the request at your honor's earliest convenience and praying the Almighty God for your honor's greater prosperity.

From the Secretary to the Chief Commissioner of Mysore, General Department, To the Chief Engineer of Mysore, No. 949—Rev. 16, dated 9th May 1878.

Letter No. 61—11 of 24th April 1878 from the Commissioner of Ashtagram, giving cover to a petition from one Lakshman Rao, soliciting the repair of the old channel of Bargi Nalla and a supply of water therefrom to irrigate his jahagir lands.

In forwarding a copy of the above letter with its enclosure *in original, requests that the circumstances under which it is proposed by the Executive Engineer to fix an assessment in lieu of imposing a water cess may be explained.

* To be obligingly returned.

From the Offg. Chief Engineer of Mysore, To the Secretary to the Chief Commissioner of Mysore, General Department, No. 1229, dated Bangalore, 14th May 1878.

In reply to your No. 949—16 of the 9th instant, I have the honor to point out what I conceive is the position of an inam village under an irrigation channel.

2. When the channel was running before the grant of the inam, it may be assumed that the inamdar was intended to have free irrigation, and it would be unfair to charge him more than a small water cess. But when there is clear evidence that the inam was given before the lands had ever been

*Proceedings of the Chief Commissioner of Mysore, Department of Revenue,
Agriculture and Commerce, 15th June 1878.*

watered, or before the channel had been made, the concession made to the inamdar can only have been remission from the revenue of dry land ; and when irrigation has been given, the State has the undoubted right to make the inamdar pay the difference between wet and dry rates, i.e., to pay the full value of the water which, at a heavy cost, it has brought to his fields.

3. This is the state of affairs on Lakshman Rao's jahagir, and I know of no reason for shewing indulgence to him in particular. Because his ancestors did good service and were rewarded for it, surely the present Government need not increase that reward tenfold at the expense of the Mysore tax-payers. I have no wish to impose a *land* tax as the Commissioner seems to think, but to make him pay for a new benefit bestowed on him, viz., water.

4. I would beg to call your attention to paras 16 and 17 of my Note on the Channel Irrigation of the Province and to para 4 of Chief Commissioner's order thereon, No. 11390—1727 of 25th March last. In para 6 of that Note some statistics are given shewing the value of this irrigation.

5. Original enclosure is herewith returned.

No. 1937—REV. 18, DATED BANGALORE, 15TH JUNE 1878.

ORDER THEREON.—The Chief Commissioner considers that a water rate which may, as in a recent instance, be fixed at Rs. 4 per acre, should be imposed on the lands belonging to Rai-Bahadur Lakshman Rao's jahagir villages, as soon as the means of irrigation have been supplied by the extension of the Baragi channel : inam water rate being independent of the $\frac{1}{2}$ rupee cess per kandi chargeable on account of the conservancy establishment.

2. This water rate will be subject to revision on the land being surveyed and settled. It would however be optional with the inamdar to allow of a detailed survey and settlement.

3. The Commissioner will be good enough to report the circumstances under which the $\frac{1}{2}$ rupee cess per kandi only was imposed on the Hoskote, Turkara Hundi, Aswathapur and other inam villages mentioned in Lakshman Rao's petition to the Commissioner, dated 9th April last, and to state his opinion whether, if these cases were similar to that of the Mahadevapura village under reference, a revision of the assessment is called for equitably.

T. CLARKE,
Secretary.

To—The Commissioner of the Ashtagram Division.
„ Chief Engineer of Mysore.

Regd No 2071
1878.

GOVERNMENT OF MYSORE.

REVENUE.

To

THE COMM. OF THE ASHTAGRAM DIVN.
" CHIEF ENGINEER IN MYSORE.

Dated June 15th.

Despatched

Received

No. 1937.
Rev. 18.

Conveying instructions for the imposition of a water cess on the jahagir lands of Madevapur village belonging to Rai-Bahadur Lakshman Rao, which become irrigable by the extension of the Bargi channel.
